

United States District Court  
Central District of California

FITSPOT VENTURES, LLC,  
Plaintiff,

v.

SOLOMON BIER AND DOES 1–25,  
INCLUSIVE,  
Defendant.

Case No. 2:15-cv-06454-ODW(RAO)

**ORDER GRANTING PLAINTIFF’S  
MOTION FOR REMAND**

Plaintiff Fitspot brought suit against Defendant Solomon Bier and Does 1–25 (“Defendants”) for alleged Misappropriation of Trade Secrets (Cal. Civ. Code § 3426, *et seq.*), Breach of Contract, Conversion, and Breach of Fiduciary Duty claims (Compl., ECF No. 1.).

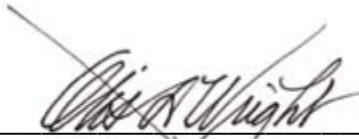
Plaintiff’s Complaint was originally filed in the Los Angeles Superior Court on August 12, 2015. *Id.* Defendants timely removed the action to federal court on August 24, 2015. (Notice of Removal, ECF No. 1). Defendants argued that federal jurisdiction was proper under this Court’s federal question jurisdiction, 28 U.S.C. § 1331, as Plaintiff’s conversion claim is completely preempted by the Federal Copyright Act. *See* 17 U.S.C. § 301(a).

After the Court denied Plaintiff's request for a preliminary injunction (ECF No. 24), Plaintiff timely moved for remand back to the Los Angeles Superior Court (ECF No. 25). In response, Defendants stated that they do not oppose remand. (ECF No. 26).

Where a party does not oppose a Motion for Remand, the Court may grant the remand. *See* Local Rule 7-9, 7-12; *cf. Nomura v. Amazon.com, Inc.*, No. C-11-01210 HRL, 2013 WL 4928229, at \*3 (N.D. Cal. Sept. 12, 2013) ("Nonopposition alone is sufficient to grant [a] motion . . ."). Therefore, the Court **REMANDS** this case back to the Los Angeles Superior Court (Case No. BC590952).

**IT IS SO ORDERED.**

October 13, 2015

A handwritten signature in cursive script, appearing to read "Otis D. Wright, II", is written over a horizontal line.

**OTIS D. WRIGHT, II**  
**UNITED STATES DISTRICT JUDGE**